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12 *Representing the United States of America*

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14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 TRAYVALE HARRISON,
20 Defendant.

21 Case No. 2:18-cr-144-JAD-GWF

22 **STIPULATION TO CONTINUE**
23 **SENTENCING HEARING**
24 (Third Request)

25 COMES NOW the United States of America, through Nicholas A. Trutanich, United
26 States Attorney, and Linda Mott, Assistant United States Attorney, counsel for the United
27 States of America, and Jennifer Waldo, counsel for Trayvale Harrison, and requests that the
28 sentencing hearing currently scheduled for May 4, 2020, be vacated and set to a date and time
29 convenient to this Court, but no sooner than ninety (90) days.

30 The request is for the following reasons:

31 1. On March 16, 2020, the Chief Judge of the U.S. District Court for the District of
32 Nevada issued Temporary General order 2020-03 (the “General Order”). The Order explains
33 that, due to the outbreak of the coronavirus 2019 (“COVID-2019”) in the District of Nevada,
34 the declaration by the Governor of the State of Nevada of a public health emergency due to the
35 spread of COVID-19 in Nevada, the declaration of local emergencies by local governments due

1 to COVID-19, and the public health recommendations—including recommendations for social
2 distancing and limiting large-group gatherings—the Court has sustained a “reduced ability to
3 obtain an adequate spectrum of jurors” and reduced availability of counsel and Court staff. The
4 General Order accordingly continued all civil and criminal trials until April 10, 2020, pending
5 further order of the Court, and found that “the ends of justice are best served by ordering
6 continuances, which outweighs the best interests of the public and any defendant’s right to a
7 speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

8 2. Continuing this sentencing hearing will serve the critical interests emphasized in
9 the General Order. Given the grave public-health concerns discussed in the General Order, in
10 addition to difficulty—or impossibility—of allowing witnesses to speak on both the
11 Defendant’s, as well as the government’s behalf.

12 3. Additional time is needed to formulate and file any sentencing Memorandums
13 and procure any possible witnesses that would be at sentencing to either speak on behalf of
14 Defendant Harrison, or on the behalf of the government, including any victims.

15 4. Counsel for Defendant Harrison agrees with this continuance.

16 5. Defendant Harrison is in custody and agrees with this continuance.

17 6. Thus, all parties agree to this continuance.

18 7. The additional time requested herein is not sought for purposes of delay, but
19 merely to allow counsel to have sufficient time to solidify any witnesses needed, and to review
20 and prepare any sentencing memorandums.

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1 This is the third request to continue filed herein.

2 DATED this 29th day of April, 2020.

3 NICHOLAS A. TRUTANICH
4 United States Attorney

5 */s/ Jennifer Waldo*

6 Jennifer Waldo
Counsel for Defendant Trayvale Harrison

5 */s/ Linda Mott*
By _____

6 LINDA MOTTA
7 Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
TRAYVALE HARRISON,
Defendant.

Case No. 2:18-cr-144-JFD-GWF

PROPOSED ORDER

FINDINGS OF FACT

Based on the Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. The government, as well as Counsel for defendant Harrison, need additional time to formulate and file any sentencing memorandums, as well as locating any witnesses who may speak either on the behalf of Harrison, or on behalf of the government.

2. Defendant Harrison is in custody and does not object to the continuance.

3. The Government is in agreement with this continuance.

4. The additional time requested herein is not sought for purposes of delay, but to allow the parties to continue to prepare any sentencing memorandums, secure witnesses who may speak on behalf of the defendant, or the government, and to allow counsel for defendant to these options with her client.

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ORDER

IT IS ORDERED that the sentencing hearing currently scheduled for May 4, 2020, at the hour of 10:00 a.m., be vacated and continued to August 10, 2020, at the hour of 10:30 a.m.

DATED this 30th day of April, 2020.

JENNIFER A. DORSEY
UNITED STATES DISTRICT JUDGE